

16267 U.S. PTO  
80/27/03

## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

17956 U.S. PTO  
10/650257  
08/27/03

Attorney Docket No.: 4366-120

Inventors: Bhavesh P. Davda of 2452 West 107th Drive, Westminster, CO 80234

Express Mail Label No.: EV331291712US

Title: "METHOD AND APPARATUS FOR HOT UPDATING OF RUNNING PROCESSES"

MS Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Enclosed for filing with the above-identified utility patent application, please find the following:

1. [X] Specification (Total Pages of Text, including Abstract and Claims: 20)
2. [X] Drawing(s) (35 USC 113) (Total Sheets: 7)  FORMAL  INFORMAL
3. [X] Declaration and Power of Attorney (Total Pages: 3)  Signed  Unsigned
4. [X] Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).
5. [X] Information Disclosure Statement (IDS/PTO-1449)
6. [X] Copies of IDS Citations (Number of References: 1)
7. [X] Assignment Papers (*cover sheet & document(s)*)
8. [X] Return Postcard (MPEP 503) (*should be specifically itemized*)

### FEE CALCULATION:

	(COL. 1) NO. FILED	(COL. 2*) NO. EXTRA	SMALL ENTITY		OR	LARGE ENTITY	
			RATE	Fee		RATE	Fee
BASIC FEE:				\$370.00	OR		\$750.00
TOTAL CLAIMS:	21	-	20	2	X \$9 =	OR	X \$18 =
INDEP. CLAIMS:	4	-	3	1	X \$42 =	OR	X \$84 =
MULTIPLE DEPENDENT CLAIMS				+ \$140 =	OR	+ \$280 =	\$0.00
*IF THE DIFFERENCE IN COL. 2 IS LESS THAN ZERO, ENTER "0" IN COL. 2.				TOTAL:			\$852.00

### OTHER INFORMATION:

1. [X] The Commissioner is hereby authorized to debit any underpayments or credit any overpayment to **Avaya Inc.** Deposit Account No. 50-1602.
2. [X] The Commissioner is hereby authorized to charge all required fees for extensions of time under §1.17 to **Avaya Inc.** Deposit Account No. 50-1602.
3. [X] Correspondence Address:

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4. [X] Telephone calls should be made to undersigned at (303) 863-9700.

Respectfully Submitted,

SHERIDAN ROSS P.C.

Douglas W. Swartz

Douglas W. Swartz  
Registration No. 37,739  
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Date: August 27, 2003

Avaya Inc.  
211 Mount Airy Road  
Basking Ridge, NJ 07920

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

) Group Art Unit:

Bhavesh P. Davda

) ) Examiner:

Serial No.: NOT ASSIGNED

) ) REQUEST FOR NON-PUBLICATION AND

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) ) CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

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P.O. Box 1450  
Alexandria, VA 22313-1450

TYPED OR PRINTED NAME: MARY ANNE DAVITT

SIGNATURE: Mary Anne Davitt

Dear Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C.122(b).

*Applicant understands that this request must be signed in compliance with 37 C.F.R. 1.33(b) and submitted with the application upon filing. Applicant also understands that they may rescind this nonpublication request at any time. If Applicant rescinds a request that an application not be published under U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed. If Applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the Applicant understands that they must notify the U.S. Patent Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).*

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Bradley M. Knepper

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Date: August 27, 2003